



GP/2821

PATENT
Attorney Docket No. 00W139*IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of
Jason S. Graham *et al.*

: Date: October 23, 2002

: Group Art Unit: 2821

Application No. 10/029,511

: Examiner: tbd

Date Filed: October 18, 2001

FOR: Method and Apparatus for Storage and Deployment of
Folded Panel Structures

*under U. S. Government Contract

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STATEMENT UNDER §305(c) OF THE AERONAUTICS AND SPACE ACTAttention: Licensing and Review
Commissioner for Patents
United States Patent and Trademark Office
Washington DC 20231

Dear Sir:

In reply to the requirement mailed 23 September 2002, the following statement under §305(c) is presented:

I, William C. Schubert, declare:

1. I am a registered patent attorney, Registration No. 30,102, employed by Raytheon Company.
2. I am informed and believe that the present invention was made by Raytheon Company employees Jason S. Graham and David L. McClure during the course of their work for Raytheon Company. This is based on conversations with Jason S. Graham, personally known to me. This is also based on their submittal of an invention disclosure disclosing the invention which is the subject matter of this application which has been signed by two persons purporting to be these named inventors. The signatures are very similar to

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL
IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS, WASHINGTON DC 20231, ON OCTOBER 23, 2002.
SIGNATURE OF W. C. SCHUBERT

DATE OF SIGNATURE OCTOBER 23, 2002

signatures of Jason S. Graham and David L. McClure that appear on an assignment of the invention which is the subject matter of this patent application to Raytheon Company, which signatures are accompanied by a notarization of a Notary Public in and for the state of California, one Adrienne C. Jackson, Commission No. 1220459, all dated October 16, 2001. This document is recorded at REEL/FRAME: 012422/0702. Jason S. Graham and David L. McClure appointed the undersigned, among others to prosecute this application and to transact all business in the Patent and Trademark office connected therewith. This was done in the Declaration and Power of Attorney signed by them on October 16, 2001, copy of which was filed along with the present application.

3. The invention disclosure referenced in Paragraph 2 hereof identified a charge number account 999H-0200 in the space on the invention disclosure that is supposed to be used by the inventors to identify the charge number account used by them in the construction of a device embodying the invention of the subject application.
4. By conversation with one of the inventors, Jason S. Graham, personally known to me, on August 30, 2001, Jason S. Graham confirmed to me that the account number charged referenced in the preceding paragraph was in fact correctly shown on the invention disclosure form.
5. At Raytheon Company, a contract analyst working for the Intellectual Property & Licensing Department utilizes the charge account numbers such as referenced above, as well as other charge account numbers that may appear in the invention disclosure, to determine if the invention disclosure is related to the performance of work under a United States government contract. This is done to determine whether or not the invention must be reported to the United States government, and either be assigned to the U.S. government or be the subject of a confirmatory instrument evidencing a license on the part of the U.S. government. The results of the determination by the contract analyst, are, in the ordinary course of business, annotated by the contract analyst on an Invention Disclosure Routing Sheet which is returned to the responsible patent attorney. Also included on this sheet are instructions as to where to send

correspondence to the U.S. government concerning the invention disclosure and/or any resultant patent application or patent. For the invention disclosure above referenced in paragraph 2, the Invention Disclosure Routing Sheet was returned to me as the responsible Raytheon patent attorney.


6. The Invention Disclosure Routing Sheet referenced in Paragraph 5 was returned to me with an indication that the above referenced charge account number indicated that work for the invention was done on a classified contract whose contract number, as well as the customer, were withheld for security reasons. The Invention Disclosure Routing Sheet did indicate that such contract included the clause FAR 52.227-12, in particular, the January 1997 version. The instructions for routing correspondence to the U.S. government were to leave the address space blank for the Raytheon Company contract administrator to fill in since this was a classified contract and the information on where to send the correspondence or even the identity of the customer could not be revealed. The contract administrator was indicated on the Invention Disclosure Routing Sheet to be Thomas Duerr, a contract administrator employed in the Electronics Warfare business unit of Raytheon Company.
7. I have spoken with Thomas Duerr, who confirmed to me that he could not reveal either the contract number or the customer of the contract which corresponded to the above-reference charge account number. He confirmed that he would forward any correspondence to the proper location at the U.S. government in connection with this invention disclosure, the patent application and any issued patent.

8. Attached hereto as Exhibit I, is a copy of a Confirmatory Instrument and Power To Inspect for the present application which, I am informed and believe, was signed on the 10th day of July 2002 by Glenn H. Lenzen, Jr., Vice President Intellectual Property & Licensing. I have seen the signature of Glenn H. Lenzen, Jr., many times and believe that the signature on this Confirmatory Instrument and Power to Inspect is his.
9. I have been informed by Thomas Duerr and therefore believe that he has forwarded an original of the Confirmatory Instrument and Power To Inspect attached hereto as Exhibit I to the U. S. government. Also attached is a cover sheet for submission by Thomas Duerr of this Confirmatory Instrument and Power to Inspect referenced above to the U.S. government (Exhibit II). This statement, prepared at my office, contains a blank in which Mr. Duerr was instructed to insert an addressee. Mr. Duerr informed me that he in fact forwarded the Confirmatory Instrument and Power to Inspect to the Raytheon customer whose identity is classified in early October, 2002.
10. Based on the foregoing circumstances, the undersigned is informed and believes that this invention was created on a contract that contains FAR 52.227-12 (January 1997) by inventors employed by Raytheon Company at its Electronics Warfare business unit in the scope of their duties as employees, and that a duly executed Confirmatory Instrument and Power to Inspect confirming the U.S. Government's rights in the invention which is the subject matter of this application was forwarded to the U.S. Government.
11. It is requested that this statement, subscribed to by a written declaration in lieu of oath, be accepted as fully responsive to the requirement for statement under §305(c) of the Aeronautics and Space Act, or, in the alternative, that the requirement for such statement be withdrawn in view of the other facts presented in this declaration.

I hereby declare that all statements made herein of my own knowledge are true and that all statement made on information and belief are believed to be true; and further

that these statements were made with the knowledge that willful false statements and alike so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



William C. Schubert

Registration No. 30,102

Telephone: (805) 562-2108

Date signed: October 23, 2002

Raytheon

Intellectual Property & Licensing

Loc: EO Bldg: E01 M/S E150, P. O. Box 902
El Segundo CA 90245-0902

WCS:NASA305c.pto.doc

Attachments:

- (a) Exhibit I Confirmatory Instrument and Power to Inspect
- (b) Exhibit II Transmittal letter for Confirmatory Instrument

STATEMENT UNDER §305(c) OF THE AERONAUTICS AND SPACE ACT

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P. 02

EXHIBIT I

Raytheon



Raytheon Company
Office of the General Counsel
Intellectual Property & Licensing
141 Spring Street, Lexington MA 02421
Telephone: (781) 880-3885
Facsimile: (781) 880-2822

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CONFIRMATORY INSTRUMENT AND POWER TO INSPECT

Attorney Docket No. 00W139*

Raytheon Account No. 999H 0200 GLA 46687

Application Title: *"Method and Apparatus for Storage and Deployment of Folded Panel Structures"*

Inventor(s): Jason S. Graham and David L. McClure

Application No.: 10/029,511

*Prime Contract:

Filing Date: October 18, 2001

Contractor: Raytheon Company

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The invention identified above is a "Subject Invention" under Patent Rights clause FAR 52.227-12 dated January 1997, which clause does not include the communications satellite paragraph DAR 7-302.23(g).

This document is confirmatory of the paid-up license granted to the Government under this contract in this invention, patent application and any resulting patent, and of all other rights acquired by the Government by the referenced clause.

The Government is hereby granted an irrevocable power to inspect and make copies of the above identified patent application.

Signed this 10th day of July 2002.

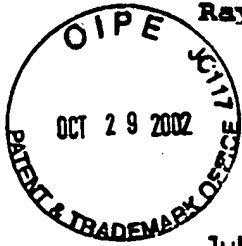
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RAYTHEON COMPANY

Glenn H. Lenz, Jr.
Vice President, Intellectual Property & Licensing

STATEMENT UNDER §305(c) OF THE AERONAUTICS AND SPACE ACT
10/23/2002

EXHIBIT II



Raytheon

Raytheon Company
OFFICE OF THE GENERAL COUNSEL
Intellectual Property & Licensing
75 Coromar Drive, B2/52
Goleta CA 93117

Ph: (805) 362-2108 Fax: (805) 362-4120

July 15, 2002

TO:

SUBJECT: Confirmatory Instrument for United States Patent Application No. 10/029,511
Raytheon Docket No. PD-00W139* Contract No. *

1. Raytheon docket No. PD-00W139* for a **Method and Apparatus for Storage and Deployment of Folded Panel Structures**, Inventor(s) Jason S. Graham and David L. McClure, was forwarded to the United States Patent and Trademark Office and to your command and now bears Application No. 10/029,511 with a filing date of October 18, 2001.
2. Enclosed herewith is a *Confirmatory Instrument and Power to Inspect* duly signed and dated in accordance with contract requirements.
3. This letter is submitted in duplicate.


WILLIAM C. SCHUBERT
Senior Intellectual Property Counsel

In duplicate

WCS:ssf.x6cl.gvt

Record No. 337.h&sRev:FFP:PTO:GVT:Clx6

Enclosures: Confirmatory Instrument 09-510B signed 10th day of July, 2002 (orig +1)

c: Mr. Thomas J. Duerr EW HO1/9204
Ms. S. J. Williams, w/o end. EO/E01/E150

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